

**UNITED STATES DISTRICT COURT
IN THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

DEAMUS TROY CASTERLINE, §
Petitioner, §
v. §
§
RICK THALER, Director, TDCJ-CID, §
Respondent. §

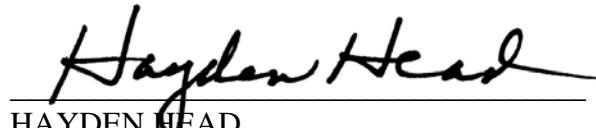
Case No.: 2:09-cv-164

**ORDER DENYING PETITIONER'S MOTION FOR RELIEF FROM
JUDGMENT AND MOTION FOR JUDICIAL NOTICE**

Pending before the Court is Petitioner's motion for relief from judgment (D.E. 80). On May 8, 2013, United States Magistrate Judge B. Janice Ellington filed a Memorandum and Recommendation, recommending Petitioner's motion for relief from judgment (D.E. 80) be denied as a second or successive habeas corpus petition filed without proper authorization. (D.E. 82). Judge Ellington also recommended that any request for a certificate of appealability be denied. (D.E. 82). Petitioner filed a timely objection. (D.E. 86). Petitioner has since filed a Motion for Judicial Notice, as support for his motion for relief from judgment. (D.E. 91).

Having reviewed *de novo* the Memorandum and Recommendation and the pleadings on file, this Court hereby adopts as its own the findings and conclusions of the Magistrate Judge. Accordingly, Petitioner's motion for relief from judgment (D.E. 80) and Motion for Judicial Notice are DENIED. Any request for a certificate of appealability is DENIED.

ORDERED this 25th day of July, 2013.



HAYDEN HEAD
SENIOR UNITED STATES DISTRICT JUDGE